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DRAFT GMS (6 Jan 71) - 1st paragraph

Agreed Guidance Governing Disclosures of Classified Intelligence

As pointed out in the President's Directive of December 21, 1970, subject "Disclosures of Classified Information and Coordination and Clearance of Official Statements", machinery now exists to protect all classified information. It is evident that unauthorized disclosures of classified intelligence involve either careless or deliberate failure to comply with regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. Nothing could be further from the truth. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

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Further, with respect to ^{protection} sources & ^{methods of intelligence} ~~Widespread discussion of intelligence sources and methods.~~

some of it unavoidable but much of it gratuitous, seems to have conveyed the impression in ^{some parts of the} government that there is little, if anything, left to protect. Nothing could be further from the truth. The true origin of many categories of intelligence information to be used in public releases or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

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Agreed Guidance Governing Disclosures of Classified Intelligence

As pointed out in the President's Directive of 24 Dec 1970, subject Intell Coord - Clearance, "Disclosures of Classified Information," machinery now exists to protect all classified information. It is evident that unauthorized disclosures ^{espionage intel} involve either careless or deliberate failure to comply with regulations and procedures already in effect. Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.

2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view. These procedures should be so designed as to assure that newly indoctrinated members of the intelligence

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community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information with them, and to make sure that they do so.

3. Provide for periodic reindoctrination and continuing education in security practices and procedures, to include a program for prompt debriefing of individuals who no longer have a need-to-know.

4. Review procedures for authorizing and controlling disclosures and releases.

a. The responsibility of the intelligence chief for assessing the risk to national security and to intelligence sources and methods involved in deliberate disclosures should be delineated. Assessments should include methods by which such intelligence can be effectively and plausibly sanitized so as to protect the source. There should be provisions for a review by intelligence authorities of any classified intelligence proposed for declassification or for use in briefings,

by the originating agency
and sanitization by the

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testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed.

Sensitive intelligence to be disclosed should be clearly identified as such and the ^{official disclosure part} recipients should be so cautioned when appropriate. This can be particularly important in dealing with public information officials who cannot be expected to be fully familiar with the origins of sensitive information. Records should be maintained regarding any classified intelligence declassified or authorized for disclosure.

b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be

reported to the appropriate intelligence chief ^{where official disclosure} ~~the originating agency and will be advised~~

c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include

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who will inform the originating agency in any potentially harmful case

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(1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

5. Take fully into account the interests of any other members of the intelligence community who might be concerned, in proposing the release of any intelligence derived from a joint project in the intelligence community. If a department or agency authorizes the disclosure of sensitive intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.

6. Take disciplinary action where appropriate, in a just, clear and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed.

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D R A F T (4 January 1971)

MEMORANDUM FOR: The Secretary of State
 The Secretary of Defense
 The Attorney General
 The Director, U. S. Arms Control and
 Disarmament Agency
 The Chairman, Joint Chiefs of Staff
 The Director of Central Intelligence
 The Administrator, National Aeronautics
 and Space Administration

SUBJECT: Disclosures of Classified Information
 and Coordination and Clearance of
 Official Statements

In the President's memorandum of December 21, 1970, subject as above, he asks certain key officials to insure that existing regulations designed to safeguard classified information be reviewed and strengthened where necessary, and calls for an adequate security review of all public disclosures with important security connotations. Further, he charges me with providing guidance for the protection of intelligence sources and methods, especially through the machinery of the intelligence community.

I have instituted a review within the Central Intelligence Agency of existing regulations and procedures and will see to it that any deficiencies that come to light are corrected. Additionally, I am ^{submitting} going to submit to members and observers of the United States Intelligence Board a set of proposed guidelines to assist the intelligence community in carrying out the intent of the President's directive. ~~T~~

~~am attaching~~ ^A copy of these proposals, which essentially update somewhat similar guidance promulgated through USIB in 1960, ^{attached.}

You will note that this guidance states, in paragraph 4 a., that the responsibility of the intelligence chiefs of affected departments and agencies for assessing risks to intelligence sources and methods involved in deliberate disclosures should be delineated. The guidance goes on to suggest ^{the way is accomplished} ways in which the intelligence chief can be useful in this field.

I ~~would like~~ ^{would} to suggest that you confer with your principal intelligence or security officers with a view to working out appropriate procedures for enabling them ^{to assist} to assist in an educational and advisory capacity in connection with ~~releases~~ ^{with releases} which you or your principal officers may contemplate making and which might have security implications. Although not all addressees of the President's memorandum and of this one are members of the USIB, I believe the proposed ^e guidelines should be essentially applicable to all affected departments and agencies.

I would appreciate it if you could let me have your reaction to these proposals and any additional comments you wish to make so that I will be able to report to the President in the near future what we are doing to carry out his instructions.

Richard Helms

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D R A F T (4 January 1971)

MEMORANDUM FOR USIB PRINCIPALS

SUBJECT: Guidelines Governing Disclosures of Classified
Intelligence

1. The President has issued a memorandum dated December 21, 1970, entitled "Disclosures of Classified Information and Coordination and Clearance of Official Statements." A copy of this is attached for your information and guidance, as well as a copy of a memorandum I am sending to the other addressees of the President's communication.

2. You will note that the President charges me with providing guidance in carrying out his instructions with respect to the protection of intelligence sources and methods, particularly through the machinery of the intelligence community. In this connection, I would appreciate your giving personal attention to the attached draft guidelines for the intelligence community. I plan to discuss these in

executive session at an early meeting of the USIB *so that actions can be initiated and a report made by us to the President not later than March 1971.*

Richard Helms

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D R A F T

MEMORANDUM FOR: The Secretary of State
 The Secretary of Defense
 The Attorney General
 The Director, U.S. Arms Control and
 Disarmament Agency
 The Chairman, Joint Chiefs of Staff
 The Director of Central Intelligence
 The Administrator, National Aeronautics
 and Space Administration

SUBJECT: Disclosures of Classified Information
 and Coordination and Clearance of
 Official Statements

In the President's memorandum of December 21, 1970, subject as above, he asks certain key officials to insure that existing regulations designed to safeguard classified information be reviewed and strengthened where necessary. He asks for an adequate security review of all public disclosures with important security connotations; and he says he will look to me for guidance in this field.

I have instituted a review within the Central Intelligence Agency of existing regulations and procedures and will see to it that any deficiencies that come to light ^{are} ~~will be~~ corrected. Additionally, I am going to submit to members and observers of the United States Intelligence Board a set of proposed guidelines to assist the intelligence community in carrying out the intent of the President's directive. I am attaching a copy of these

proposals, which essentially update somewhat similar guidance promulgated through USIB in 1960.

You will note that this guidance states, in paragraph 4 a that the responsibility of the intelligence chief of affected departments and agencies for assessing risks to intelligence sources and methods involved in deliberate disclosures should be delineated. The guidance goes on to suggest ways in which the intelligence chief can be useful in this field.

I would like to suggest that you confer with your principal intelligence or security officers with a view to working out appropriate procedures for enabling them to assist in an educational and advisory capacity in connection with releases which you or your principal officers may contemplate making and which might have security implications. Although not all addressees of the President's memorandum and of this one are members of the USIB I believe the proposed guidelines should be essentially applicable to all affected departments and agencies.

I would appreciate it if you could let me have your reaction to these proposals and any additional comments you wish to make so that I will be able to report to the President in the near future what we are doing to carry out his instructions.

Richard Helms

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Executive Registry

70-6210/1

23 December 1970

DD/S 70-4968

MEMORANDUM FOR: Mr. John Bross
Mr. Robert Bannerman
Mr. Howard Osborn
Mr. R. J. Smith
Mr. Cord Meyer
Mr. Carl Duckett
Mr. Lawrence Houston
Mr. Gordon Stewart

[Redacted]

25X1

SUBJECT : Disclosures of Classified Information and
Coordination and Clearance of Official
Statements

You have received separately a copy of a memorandum from the President dated 21 December 1970, subject as above. Pursuant to General Cushman's suggestion at the Morning Meeting today, I should like to meet with you immediately after the Morning Meeting on Tuesday, 29 December, to develop recommendations for the Director as to what action would be appropriate for him to take in light of the special responsibilities which the President has placed on him.

[Redacted]

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L. K. White
Executive Director-Comptroller

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GROUP 1
Excluded from automatic
downgrading and
declassification

DD/S	70-4963	Executive Registry
		70-6210

THE WHITE HOUSE
WASHINGTON

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December 21, 1970

MEMORANDUM FOR:

The Secretary of State
The Secretary of Defense
The Attorney General
The Director, U.S. Arms Control and
Disarmament Agency
The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence
The Administrator, National Aeronautics
and Space Administration

SUBJECT:

Disclosures of Classified Information
and Coordination and Clearance of
Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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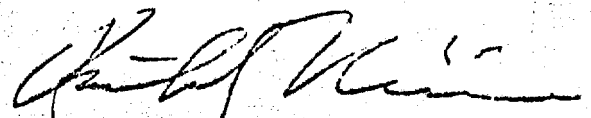
- 2 -

designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should assure that only those individuals with a demonstrated "need-to-know" receive classified information and that all recipients are constantly aware of the necessity to protect it from public disclosure. They should provide for an adequate security review of all statements and documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary action against individuals under their jurisdiction found responsible for careless or deliberate mishandling of classified information.

The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications;

- "Public statements and press releases: Prior to release, all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."
- "Official communications: All official communications with policy implications must be cleared by the White House. When in doubt, the rule is that messages will be so cleared. This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."



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MEMORANDUM FOR: Members of the United States Intelligence Board

SUBJECT : Disclosure of Classified Information and Coordination and Clearance of Official Statements

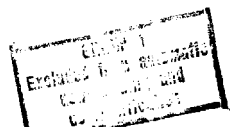
1. The President, in a memorandum dated 21 December 1970, has expressed his concern about disclosures of classified information and reaffirmed his earlier instructions concerning the coordination and clearance of official statements. He has directed that recipients of his memorandum take immediate action to ensure that only individuals within their jurisdiction with a demonstrated "need-to-know" have access to classified information and are aware of the necessity to protect it from public disclosure.

2. He has charged me with the responsibility to provide guidance in the intelligence field through the mechanism of the intelligence community. While I believe that our current policies and procedures governing the dissemination and control of classified intelligence information are fundamentally sound, I am of the opinion that there are further actions which each of us should take to prevent unauthorized public disclosures.

3. Each department and agency head should take immediate steps to review his internal procedures to ensure that:

a. Existing regulations governing the control of classified information meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive

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compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.

b. All personnel understand clearly that any unauthorized disclosure of classified information outside of official channels will result in severe disciplinary action.

c. His senior intelligence officer is designated to assure that the release of classified intelligence information outside of official channels by any means is approved, in advance, by the department or agency of origin and referred to the United States Intelligence Board for consideration and approval or for referral to the White House if by its nature it has broad policy implications or is of known or potential Presidential interest.

d. They provide for continuing education on security practices and procedures.

e. The facts surrounding unauthorized disclosure of classified intelligence information are reported to his senior intelligence officer for action.

4. I request that each of you report back to me by 15 February 1971 the results of actions you have taken in compliance with this memorandum.

Richard Helms
Director of Central Intelligence

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